

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE: HOOSICK FALLS PFOA CASES

Case No. 1:19-mc-00018-LEK-DJS

DIANE BAMRICK, as an individual and in her
capacity as Executrix of the ESTATE OF EDWARD
BAMRICK, deceased,

Case No. 1:19-cv-0225-LEK-DJS

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

MARK DRISCOLL,

Case No. 1:19-cv-0231-LEK-DJS

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

CRYSTAL GATES,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0221-LEK-DJS

KATHLEEN REECE,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0219-LEK-DJS

RYAN SLOWEY,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0216-LEK-DJS

IAN WEBBER, in his capacity as the Executor of the
ESTATE OF SEAN WEBBER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0220-LEK-DJS

LORI WYMAN,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0215-LEK-DJS

STIPULATION AND ORDER

WHEREAS Defendant Saint-Gobain Corporation (“SGC”) has filed one or more answers and affirmative defenses in each of the above-captioned actions (the “Actions”);

WHEREAS SGC pleaded the following affirmative defense in each of the Actions:

Saint-Gobain denies any negligence, culpable conduct or liability on its part but, if Saint-Gobain ultimately is found liable for any portion of Plaintiff’s alleged damages, Saint-Gobain shall only be liable for its equitable share of Plaintiff’s alleged damages;

WHEREAS SGC seeks to amend and clarify its affirmative defenses in an efficient and

uniform manner;

WHEREAS, the Parties, by and through their undersigned counsel, consent to SGC amending its pleadings as provided herein;

NOW THEREFORE, it is hereby STIPULATED AND AGREED that the operative answers of SGC in each of the Actions shall be deemed to be amended and to set forth affirmative defenses as follows:

Saint-Gobain denies any negligence, culpable conduct or liability on its part but, if Saint-Gobain ultimately is found liable for any portion of Plaintiff's alleged damages, Saint-Gobain shall only be liable for its equitable share of each Plaintiff's alleged damages, pursuant to Article 16 of the New York Civil Practice Law and Rules.

and

Pursuant to Section 15-108 of the New York General Obligations Law and applicable case law, insofar as any Plaintiff has given an individual or entity other than Saint-Gobain a release from, covenant not to sue for, or covenant not to enforce a judgment of liability for a purported injury that Saint-Gobain is ultimately found liable therefor, that Plaintiff's claim must be reduced (1) to the extent of the amount stipulated by the release or covenant, (2) in the amount of the consideration paid for the release or covenant, or (3) in the amount of the released individual's or entity's equitable share of the damages under Article 14 of the New York Civil Practice Law and Rules, whichever is greatest.

In each of the above-listed affirmative defenses, the reference to "Plaintiff" and "Plaintiffs" shall refer to "Plaintiffs" and "Plaintiffs'" in those Actions that assert claims by multiple Plaintiffs and, in applicable cases, shall be inclusive of decedent estates.

All of the above is **SO ORDERED**.

Dated: December 14, 2023
Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge

Dated: May 18, 2023

Respectfully submitted,

/s/ Stephen G. Schwarz

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